

REMARKS

Claims 1-24 remain pending in this application. Claims 1-24 are rejected. Claims 11 and 13 are objected to. Claims 1-24 are amended herein to clarify the invention, to broaden language as deemed appropriate and to address matter of form unrelated to substantive patentability issues.

Applicant herein traverses and respectfully requests reconsideration of the rejection of the claims and objections cited in the above-referenced Office Action.

The Office Action states that the specification is objected to for various informalities. The specification is amended to correct various typographical, grammatical and idiomatic informalities including those noted in the Office Action. No new matter is added. Withdrawal of the objection is respectfully solicited.

The specification is further objected to for allegedly failing to provide proper antecedent basis for the claimed subject matter of claim 12. Claim 12 is amended to change the term “intensive control unit,” to the fully supported term “control center.” Withdrawal of the objection is therefore requested.

Claims 11 and 13 are objected to for various informalities. The claims are amended in accordance with the Examiner’s recommendations. Therefore, withdrawal of the objections is respectfully requested.

Claims 1-24 are rejected under 35 U.S.C. § 112, first paragraph, as allegedly not being enabled by the specification. Applicant respectfully traverses these rejections.

The determination of enablement turns on whether the specification contains a sufficient disclosure to enable one skilled in the art to practice the claimed invention without the exercise of undue experimentation. What constitutes undue experimentation is determined using a standard of reasonableness. Factors to be considered include the quantity of experimentation necessary, the amount of direction or guidance presented, the existence of working examples, the state of the prior art, the nature of the invention, the predictability of the art and the breadth of the claims.

Ex parte Forman, 203 U.S.P.Q. 546 (BPAI 1986).

Applicant respectfully submits that one skilled in the art would readily be able to implement the present invention as claimed without undue experimentation based on a reading of the specification as filed. Moreover, applicant submits that the Examiner has failed to clearly identify the precise basis for the rejections, for example, by stating in what specific regard the specification is considered inadequate in providing requisite teaching regarding the claimed invention, in a manner which would fairly allow the applicant to respond with appropriate arguments against the rejection.

Based upon the above, reconsideration of the rejections is earnestly solicited.

Claims 1-22 are rejected as indefinite under 35 U.S.C. § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter of the invention as a result of informalities stated in the Office Action. The claims are amended to remove or correct the informalities noted in the Office Action.

Therefore, reconsideration of the rejection of claims 1-22 and their allowance are earnestly requested.

Claims 1-6, 8-18, 22 and 24 are rejected under 35 U.S.C. § 102(b) as being anticipated by Walker et al. (US 2002/0196342 A1). Applicant herein respectfully traverses these rejections. “Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, *arranged as in the claim.*” *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984) (emphasis added). It is respectfully submitted that the cited reference is deficient with regard to the following.

Independent claim 1 is amended, and recites in pertinent part the following:

a game machine operable by the player for playing the game, said game machine communicating the result of the game to the player, the game machine including a photographing request input device that is operable by the player after the game machine communicates the result to the player, the game machine further including an indicator responsive to the player operating the photographing request input device which indicates a request for recording an image of the player;

a photographing apparatus for recording an image
of the player; and
a portable device including a display for visually
displaying result data representative of the result of
the game, said portable device being accommodatable
on a person of the player such that said display is
visible within a field of the image of the player when
said image is taken by said photographing apparatus.

It is respectfully submitted that the Walker et al. reference is devoid of teaching relating to an indicator responsive to a player operating a photographing request input device which indicates a request for recording an image of the player, and with regard to the provision of a portable device including a display for visually displaying result data representative of the result of the game, wherein the portable device is accommodatable on a person of the player such that the display is visible within a field of the image of the player when an image is taken by said photographing apparatus.

Independent claim 18 is amended, and recites in pertinent part the following:

limiting a photographer to a clerk in charge of photographing who is admitted to execute photographing in a game hall;

displaying at least one of a winning pattern, the amount of a prize, the amount of dropped money, a winning multiplication of contents of a game on the game machine or a display apparatus; and

photographing the player and the game machine or the display apparatus, which displays the contents of the game, such that the player and the game machine or the display apparatus are photographed in one frame.

It is respectfully submitted that the Walker et al. reference is devoid of teaching relating to a process which includes photographing the player, and the game machine or the display apparatus which displays the contents of the game, such that the player and the game machine or the display apparatus are photographed in one frame. Rather, in Walker et al., the data relating to a contents of a game is assigned to an already taken photograph of only the player, and not the contents of the game.

Claims 1 and 18 (and remaining claims dependent therefrom) each particularly describes and distinctly claims at least one element not disclosed in the

cited reference. Therefore, reconsideration of the rejection of claims 1-6, 8-18, 22 and 24 and their allowance are respectfully requested.

Claims 7, 19-21 and 23 are rejected as obvious over Walker et al. (2002/0196342 A1) in view of Walker et al. (2002/0128057 A1) under 35 U.S.C. §103(a). The applicant herein respectfully traverses this rejection. For a rejection under 35 U.S.C. §103(a) to be sustained, the differences between the features of the combined references and the present invention must be obvious to one skilled in the art.

It is respectfully submitted that the proffered combination of references cannot render the rejected claims obvious because the secondary Walker et al. reference does not provide the teaching noted above with respect to the anticipation rejection that is absent from the primary Walker et al. reference. Thus, the combination of prior art references fails to teach or suggest all the claim limitations. Therefore, reconsideration of the rejections of claims 7, 19-21 and 23 and their allowance are respectfully requested.

Applicant respectfully requests a one (1) month extension of time for responding to the Office Action. Please charge the fee of \$120 for the extension of time to Deposit Account No. 10-1250.

The USPTO is hereby authorized to charge any fee(s) or fee(s) deficiency or credit any excess payment to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,
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